HIGH COURT OF UTTARANCHAL AT NAINITAL.

Review Application No. 33 of 2005
In
Writ Petition No. 1509 (S/S) of 2004

Hiramani Joshi,
Son of Sri Kantimani Joshi,
Presently posted as Peon,
Court of Judicial Magistrate,
Purola,
District – Uttarkashi. ……..Petitioner

Versus

1. State of Uttaranchal through Secretary, Revenue Department, Dehradun.
2. Commissioner, Garhwal Mandal, Pauri Garhwal.
3. Collector/District Magistrate, Uttarkashi.

….. Opposite Parties.

Hon'ble M.M. Ghildiyal, J

Heard Sri Dinesh Chauhan, learned counsel for the applicant /petitioner on the review application and learned Standing Counsel, who has accepted notice on behalf of respondents.

Petitioner, who is working as Patwari Peon, had filed a writ petition no. 1509 (S/S) of 2004 in which he had prayed to issue a writ in the nature of Mandamus commanding the respondents to promote him on the post of Patwari in District – Uttarkashi and sent him for training of Patwari at patwari Training Centre, Almora. The aforesaid

writ petitioner was finally dismissed on December 20, 2004.

According to the petitioner himself, there are three conditions for promotion on the post of Patwari. These three conditions are: (i) candidate must pass High School Examination; (ii) candidate must have served at least 6 years as Patwari Peon and (iii) at the same time candidate should not be more than 45 years of age.

The writ petition was dismissed on the ground that though the petitioner fulfilled two conditions i.e. he has passed High School examination and has 24 years of service on the post of patwari Peon but he has completed more than 45 years of age and according to Rules he cannot be given promotion to the post of Patwari Peon in the aforesaid circumstances.

There is no good ground in the Review Application filed by the petitioner on which the Review Petition can be allowed.

Hence, Review Application is rejected.

(M.M. Ghilidyal, J)

May 25, 2005
SKSharma